

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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5 MARTHA BERNDT, et al.,
6 Plaintiffs,
7 v.
8 CALIFORNIA DEPARTMENT OF
9 CORRECTIONS, et al.,
10 Defendants.

NO. C03-3174 TEH

ORDER SETTING DISCOVERY
CUTOFF AND REQUIRING
STIPULATION AND PROPOSED
ORDER OR FURTHER JOINT
STATUS STATEMENT BY
OCTOBER 5, 2009

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12 The Court is in receipt of the parties' July 27, 2009 joint statement concerning
13 discovery and the briefing schedule for Plaintiffs' motion for class certification. The parties
14 state that they are meeting and conferring on a schedule that "contemplates that defendants'
15 discovery will be completed by September 30, 2009." In light of this statement, IT IS
16 HEREBY ORDERED that all discovery related to class certification shall be completed on or
17 before **September 30, 2009**. IT IS FURTHER ORDERED that the parties shall meet and
18 confer and file, on or before **October 5, 2009**, either a stipulation and proposed order or a
19 status statement describing the parties' respective views concerning a briefing and hearing
20 schedule on Plaintiffs' class certification motion. This case has been pending for over six
21 years, and Plaintiffs filed their motion for class certification over eight months ago. There is
22 no reason for any further delay by the parties in moving this case forward.

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24 **IT IS SO ORDERED.**

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26 Dated: 08/04/09

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THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT